

TROOPS ON WAY TO CHICKAMAUGA

Virginia Volunteers Mobilize at Roanoke, Traveling in Two Specials.

FALSE REPORT OF WRECK

Richmond Battalion Starts at Early Hour, Major Cary in Command.

[Special to The Times-Dispatch.]
ON AID TRAIN, EAST RAILROAD, VA., July 23.—The Seventieth and Seventy-second Regiments, Virginia Volunteers, mobilized at Roanoke at noon to-day, and are going in three trains to Chickamauga, Ga., for the manoeuvres. Headquarters and band of the Seventieth, the Third Battalion, Major Martin, in the first section, the First, or Richmond, Battalion, Major Cary, and the Second Battalion, Major King, are in the second. The Seventy-second Regiment is following on the third train.

Colonel Perry is in command of the first train, and Lieutenant-Colonel Robert E. Craighill is in command of the second.

Following up well, and everybody is having the trip well. No rowdiness prevails, and the boys are in fine spirits.

It was reported in Roanoke shortly after the first train left that it had been wrecked, but the only trouble was a coal car off the track at Ellison, Va., which delayed the trains about an hour.

C. M. W.

RICHMOND BATTALION OFF WITH A FLOURISH

Almost before dawn yesterday khaki-clad soldiers could be seen hurrying from every part of the city toward the Seventieth Regiment Armory, and long before the hour set for leaving, every man was present and eager for the start.

Promptly at 7:15 the soldiers fell into line, each officer taking his place, and at a command from Major Cary, who, accompanied by his staff, headed the column, the march down Seventh Street to the depot was begun.

The battalion, over 200 strong, presented an imposing sight as it marched along under waving regimental and battalion colors to the music rendered by the Richmond Light Infantry Blues' Band.

While the hour was early, the boys were given a rousing reception by the early pedestrians, who lined the street and watched them go by.

At the depot the battalion was put "in case" for a few moments. Immediately after the order was given, the hundreds of friends and relatives rushed up to the khaki-clad line, and for a short space of time there was much handshaking and many good-bys.

However, the battalion did not have much time to lose, and the command, "Attention," was given. Only a short while was taken in boarding the train, and promptly at 8:10, with one last rousing cheer from the soldiers, the journey to the Tennessee camp was under way.

Met Others at Station.
At the station the First Battalion was joined by Company L, of Fredericksburg, under Captain T. M. Larkin and Lieutenants Billingsley and Leavell. When Roanoke was reached the five companies were met by the remaining companies of the Seventieth. Here the Blues' Band joined the Seventy-second Regiment, and it accompanied to the encampment, and the Stonewall Band, of Staunton, which is the official band of the Seventieth, joined that regiment.

No one ever saw a more eager, expectant body of soldiers than those leaving here yesterday morning. While they know that the encampment will not be one continual round of pleasures and amusements, still they are loyal enough to the State and their command to prefer spending their summer vacation in this way.

On arriving at their destination the Virginia troops will immediately pitch camp and soldier life will begin in earnest. Every kind of a military manoeuvre and tactic will be practiced. At short notice a battalion or regiment will be ordered on a forced

GOOD LUCK BAKING POWDER

"It Never Disappoints"

It Requires Less

OF "GOOD LUCK" to produce better results than of any other baking powder. This is well known to all cooks who use it.

And It Costs Less!

These two facts are big considerations during these days of high prices. It costs 4 cents a pound, 5 cents and 1 pound for 10 cents. Let your next order be "GOOD LUCK."

Southern Manufacturing Company
RICHMOND, VA.

march to some point where it will be compelled to make a temporary camp and spend the night, before returning to the encampment.

Sham battles will be numerous, while there will be no end to scouting parties sent out, with orders to locate certain troops, probably at that time on a march. Besides this, there will be guard duty, outpost duty, and finally one grand manoeuvre, in which the army of blues will move on the brown army. The Virginia troops will be with the brown army, and on the defensive.

Battalion Officers.

The regiments will be in camp about two weeks.

Following is a list of the officers of the Richmond battalion and those who accompanied it on the trip:

Commander, Major Cary, regimental surgeon, Lawrence T. Price, assistant regimental surgeon, and Captain Boshier, regimental quartermaster; Major Hunsdon Cary and staff officers—First Lieutenant Russell E. Norvell, battalion adjutant, and Second Lieutenant Alah H. Cousins, battalion quartermaster, and the following officers of the company: First Lieutenant C. H. Herbert, Company A; First Lieutenant H. Carl Boshier, of Company B; Richmond Blues, was at request assigned to Company A to fill a temporary vacancy.

First Lieutenant W. A. Stack and Second Lieutenant Charles D. Snead, Company B; Captain Charles M. Wallace, First Lieutenant E. B. Loving and Second Lieutenant S. B. Harrison, Company C; Captain J. H. Stone, Captain David M. Leary, Jr., Company B, Richmond Blues, were to accompany the regiment as paymaster.

Placed at the Armory.
J. T. Walthall, of No. 903 Bainbridge Street, Manchester, a private in Company A, Seventieth Regiment, was doing guard duty at the armory Wednesday night, out his finger in some manner just before the train was about to start. The finger was about to start, when he was suddenly struck by the train, which was about to start. The finger was about to start, when he was suddenly struck by the train, which was about to start.

LYNCHBURG HOME GUARD.

Crack Company Starts with Full Rank.

[Special to The Times-Dispatch.]
LYNCHBURG, VA., July 23.—The Lynchburg Home Guard left shortly before noon on a special for Chickamauga Park for the national encampment. The company, which is the official band of the Seventieth, joined that regiment.

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CASTORIA.

The Kind You Have Always Bought

Bears the Signature of J. C. Watson

ADVERTISEMENTS FRANKLIN FARMERS.

Five Meeting Held at Calloway, and Practical Talks Made.

ROANOKE, VA., July 23.—Dairy Commissioner W. D. Sanders held an interesting meeting of farmers at Calloway, in Franklin county, to-day. A large gathering of farmers attended and heard interesting talks from Mr. T. A. Sandy, of Burkeville, on "Cane and Corn Culture"; W. D. Sanders on "Co-operative Creameries"; Dr. J. G. Farneyhough and Dr. Grace on cattle quarantine; Professor Phillips on entomology.

After the meeting every one expressed the desire and intention to attend the State farmers' institute in Richmond August 4th and 5th.

Judge Diggs to Support Taft.

LYNCHBURG, VA., July 23.—Judge J. Singleton Diggs, prominent attorney at law and citizen of Lynchburg, and a Democratic leader, has tendered his resignation as a member of the city Democratic committee for the reason that he expects to vote for Judge Taft.

Elk Walking Across Continent.

[Special to The Times-Dispatch.]
WINCHESTER, VA., July 23.—Chris Dennenbaum, the Newark, N. J. Elk who is "footing" it to Manila, wherever he does not strike water, spent several days in Winchester this week. He expects to reach San Francisco next July in time to attend the annual convention of the Elks, and then will set sail for Manila. He started on the trip as a result of a wager of \$1,000, and is to be assisted in his trip to the Orient by the Elks of the town and cities he visits. While here he was the guest of Winchester Lodge, 807.

Burn and Stock Burn.

[Special to The Times-Dispatch.]
ETNA MILLS, VA., July 23.—One of the stock and hay barns on Horn Quarter Plantation was burned last night. The barn contained five mules and a pony. The pony was at first thought not to have been much hurt, but it had to be shot. A lot of hay and farm implements were burned. The building was the property of W. B. Smith. The loss was about \$3,000 and there was \$1,400 insurance.

MUST GO IN PERSON TO PAY POLL TAXES

Judge Martin Renders Decision Which, if Sustained, Will Largely Reduce Vote in State.

[Special to The Times-Dispatch.]
NORFOLK, July 23.—In the Law and Chancery Court to-day Judge W. M. Martin handed down his decision in the poll tax mandamus case, ruling that the word "personally" in the Constitution of Virginia means the bodily presence of a voter in the payment of poll taxes, and directed that the treasurer of the city of Norfolk file a revised list, certifying only to those who have paid their taxes six months prior to the next election in bodily presence. Following notice of appeal Judge Martin suspended judgment, pending another hearing by the State Court of Appeals.

Have Sweeping Effect.
The decision is sweeping in its nature, sustaining every contention of E. W. Tazewell and others, and it is said, will cut down the registration lists of Norfolk 1,800 votes, if sustained by the upper court. It is declared that the decision will, if sustained, make a sweeping reduction of the vote throughout the State.

It is also known that the decision, carried into effect, will disfranchise hundreds of the best citizens of the State. In fact, it is known that Judge Martin himself, James V. Trehy, G. W. Grandy, N. T. Green, C. H. Bull, and scores of others, leaders in the two political factions, who paid poll taxes by sending in personal checks, will be disfranchised. It is a custom of many citizens to pay all taxes, including the poll taxes, through agents representing them, handling their real estate, other property, or conducting their business.

The Decision.

The decision of the court as handed down is as follows:

Section 163 of the Constitution of Virginia provides that the General Assembly shall levy a State capitation tax of \$1.50 on every male resident of the State not less than twenty-one years of age, except those pensioned by the State for military service, and this State poll tax is required to be paid to the treasurer of the city or county in which the citizen resides.

Under this law persons so assessed with a poll tax may pay it either in person, by going himself to the treasurer and handing him \$1.50, or he may send the amount to the treasurer by agent, and the payment to the treasurer by the agent is a payment by the principal. I know of no other way in which a payment of the poll tax can be made by the person assessed, and such person may adopt either mode of payment. Upon the receipt of the tax by the treasurer in either of the above mentioned ways the tax is paid.

Section 21 of the Constitution of Virginia only allows those persons to vote, who, among other conditions therein mentioned, have "personally" paid all State poll taxes assessed or assessed against them within the time mentioned in said section (unless exempted in section 22), and section 35 of the Constitution as recently construed by the Court of Appeals in the case of Tazewell vs. Herman, requires the treasurer to return to the clerk of the court a list of those who have "personally" paid their State poll taxes within the specified time.

Under the requirements of the Constitution I am of the opinion that the list to be returned should only embrace such persons as have paid to the treasurer "in person" said poll taxes, and that he should embrace in the list the names of those persons whose poll taxes have been paid to him by a messenger or agent of the party assessed, for there being but two ways for the party to pay his tax—either in person or by agent, and the law requiring the return of a list of those only who have paid "personally"—it seems to me that it excludes from that list those who have paid by agent.

The reasoning of the Court of Appeals in Tazewell vs. Herman sustains, I think, this view of the meaning of the word "personally" as used in section 21 of the Constitution. In that case the court says:

"Where a person is authorized to make a payment and there is nothing requiring that the payment shall be made 'personally,' he can make it either in person, or through some friend or agent, compensated or uncompensated, upon the familiar principle that acts done by one in behalf of another are valid if ratified either expressly or by implication," and the court then goes on to decide that in order to entitle a person to vote he must personally pay the poll tax, and states that the evil sought to be remedied was the payment of the poll tax of voters by other persons than themselves.

The court nowhere refers to the estate or funds from which the poll tax was paid, but only the person by whom it was paid, and there is nothing in its opinion to suggest that it had any such construction of the meaning of the word "personally" in its mind.

Where there is nothing in the context of the law to show the meaning of a particular word used in it, as in the case at bar, it is the duty of the court to give the word its "usual" meaning, and it seems to the court that the usual meaning of the word "personally" is "in proper person," or in his own "physical person," and not "from his personal estate," as is claimed by the interveners. If used in the latter sense it was surplusage and meaningless to use it in section 21, for the only estate from which any person's own taxes can be required to be paid is his own estate, and the law would have the same meaning whether the word "personally" was used or not used in it.

The question of inconveniences argued by counsel is not one to be decided by the court; that was for the Constitutional Convention to decide; but it may be said that it is no more of a hardship to require the voter to pay his poll taxes in person than it is to require him to register in person or to vote in person, and yet neither of these can he do by agent.

Use of Oil Costs Life.

[Special to The Times-Dispatch.]
DURHAM, N. C., July 23.—On Tuesday May Gordon, the seven-year-old daughter of Lawrence Gordon, a respectable negro of this city, lies dead as a result of attempting to pour oil on a fire that started in the kitchen. The child was enveloped in flames, burning her in a most horrible manner. The accident happened about 12 o'clock, and the child died at 6:15 in the evening.

For Violating Sunday Law.

[Special to The Times-Dispatch.]
LYNCHBURG, VA., July 23.—Pete Maniates, the Main Street confectioner, who was before the Police Court recently for selling merchandise at Rivermont Park on Sunday, has been reported again on a similar charge, and is to have a hearing to-morrow before Mayor Smith.

Lightning Strikes Store.

[Special to The Times-Dispatch.]
ROANOKE, VA., July 23.—During a heavy electric rainstorm to-night lightning struck the Watt-Reddy and Clay Building, throwing brick with great force on the street for the distance of a block. One large plate glass window was broken and several people were slightly injured by the flying bricks.

Pullman Parlor Cars

BETWEEN

Richmond and Norfolk

Via Norfolk and Western Railway

2 Fast Vestibuled Trains 2

With Pullman Parlor Cars Attached.

Quickest route, two hours and twenty minutes.

The only line running solid trains between Richmond and Norfolk without change or transfers. Double daily service to the West, Northwest, South and Southwest.

Pullman parlor, sleeping and dining cars.

EXTRA!

See Window Display!

Manufacturer's Relief Sale!

Will be an event that will create a new merchandise era in this city. We now have the goods. They must be sold. We bought them cheap and offer them accordingly at prices, from a quality standpoint, that will eclipse any ever offered before in this community. To make things doubly interesting, we also offer in this sale many lots of our regular goods, such as Men's and Boys' Furnishings, Straw Hats, Low Shoes, Thin Coats and Separate Trousers.

A Swell Suit at Less Than the Cost of the Cloth. Be Here!

Men's Suits.

Men's and Young Men's Fine Tailor-Made Suits, in fine tropical worsteds, swell mixtures and blacks; also blue serges, \$22.50 quality, to be sold for

\$11.75

Men's and Young Men's Hand-Tailored Suits, in fancy mixtures, blue serges, tropical worsteds and blue serges, garments that are worth \$25.00, to be sold at

\$13.75

Men's and Young Men's Finest Tailor-Made Suits, in beautiful quality blue serges, tropical worsteds and nobby mixtures; also plain blacks, \$27.50 quality for

\$15.50

Men's and Young Men's Stylish Suits, in neat mixtures and blue serges \$12.50 quality, to be sold at

\$7.25

Men's and Young Men's Stylishly Tailored Suits, nicely tailored in neat mixtures, \$15.00 quality, to be sold at

\$8.25

Men's and Young Men's Tailor-Made Suits, to be had in nobby mixtures and worsteds, blue serges and black thibets, \$18.00 and \$20.00 quality, to be sold at

\$9.75

Men's Trousers.

Men's \$3.00 Trousers will go now at \$1.98

Men's \$4.00 Trousers will go now at \$2.48

Men's \$5.00 Trousers will now go at \$2.98

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A New York manufacturer of Men's Fine Apparel seeks relief in Richmond. He was overstocked and needed money at once to meet his obligations. He was forced to sell and reluctantly accepted our cash offer for the entire lot at less than the cloth they are made of.

Tyler's
FIRST AND BROAD STS.

Buy Now! The Prices Will Never Be Lower!

Manufacturer's Relief Sale!

Will be an event that will create a new merchandise era in this city. We now have the goods. They must be sold. We bought them cheap and offer them accordingly at prices, from a quality standpoint, that will eclipse any ever offered before in this community. To make things doubly interesting, we also offer in this sale many lots of our regular goods, such as Men's and Boys' Furnishings, Straw Hats, Low Shoes, Thin Coats and Separate Trousers.

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